



CITY OF CAMBRIDGE
 MASSACHUSETTS
 BOARD OF ZONING APPEAL
 831 MASSACHUSETTS AVENUE

CAMBRIDGE, MA 02139

617 349-6100

2018 FEB -7 PM 12:54

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

Plan No: BZA-015467-2018

GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : CDHA Consulting - C/O Christopher Howe

PETITIONER'S ADDRESS : 72 Farragut Ave Somerville, Ma 02144

LOCATION OF PROPERTY : 130 Spring St Cambridge, MA

TYPE OF OCCUPANCY : single family dwelling ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

The proposed addition increases the non-conformity of the existing FAR.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Original Signature(s) :


 (Petitioner(s) / Owner)

CHRISTOPHER D. HOWE
 (Print Name)

Address : 72 FARRAGUT AVE

SOMERVILLE MA 02144

Tel. No. : 617 501-7021

E-Mail Address : CDH@CDHACONSULTING.COM

Date : _____

RECEIVED - 7 PM 13: 25

COMMUNICATIONS SECTION
AIR FORCE HEADQUARTERS
OTTAWA, ONTARIO

RECEIVED - 11 PM 13: 25

COMMUNICATIONS SECTION

AIR FORCE HEADQUARTERS

OTTAWA, ONTARIO

RECEIVED - 11 PM 13: 25

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

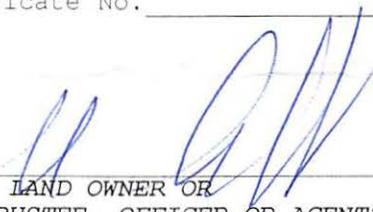
I/We Matthew Anderton
(OWNER)

Address: 130 Spring Street, Cambridge MA 02141

State that I/We own the property located at 130 Spring Street, which is the subject of this zoning application.

The record title of this property is in the name of _____
Matthew Anderton

*Pursuant to a deed of duly recorded in the date 3/19/2012, Middlesex South County Registry of Deeds at Book 58701, Page 496; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____

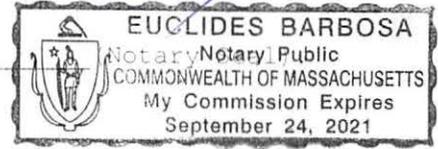

SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Matthew Anderton personally appeared before me, this 2 of February 2018, and made oath that the above statement is true.

My commission expires 09-24-2021 _____ Notary



- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.



REPUBLIC OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
STATE HOUSE, BOSTON, MASSACHUSETTS

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

The existing lot is extremely small. The existing residence is as well. The owners are starting a family and need additional space to accomodate two full size bedrooms and additional dining space. The existing residence, is too small to accomodate a family with children. If relief is not granted the owners (12 year residents of Cambridge will have to move to another community as real estate prices are too expensive to allow purchase of a larger residence in Cambridge.

B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

The site dimensions are only 15' x 65'. This results in a very small maximum gross area of 720 square feet.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Substantial detriment to the public good for the following reasons:

The entire block is comprised of lots of this same small size. Residences at adjacent properties have been expanded. The proposed addition will result in an overall building mass that is similar to the adjacebnt properties.

2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

There is no change of use proposed, the proposed addition will be an aesthetic improvement. The larger rewsidence will be of a size that allows children in support of a vibrant residential community.

*** If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

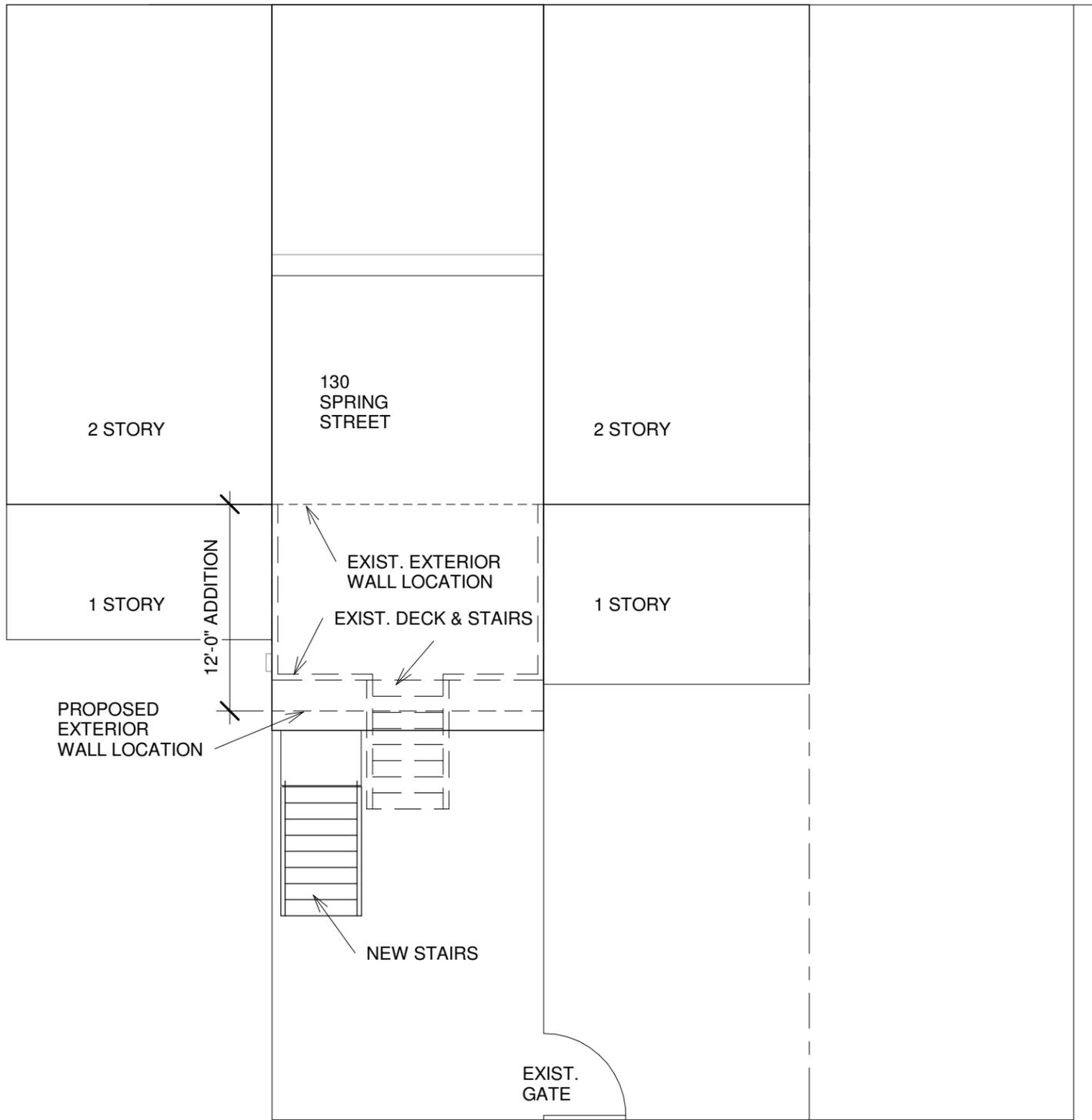
APPLICANT: CDHA Consulting **PRESENT USE/OCCUPANCY:** Residential 1 family
LOCATION: 130 Spring St Cambridge, MA **ZONE:** Residence C-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** Residential 1 family

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>900</u>	<u>1284</u>	<u>720</u>	(max.)
<u>LOT AREA:</u>	<u>960</u>	<u>960</u>	<u>5000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> ²	<u>.94</u>	<u>1.34</u>	<u>.75</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>960</u>	<u>960</u>	<u>1500</u>	(min.)
<u>SIZE OF LOT:</u> <u>WIDTH</u>	<u>15</u>	<u>15</u>	<u>50</u>	(min.)
<u>DEPTH</u>	<u>65</u>	<u>65</u>	<u>100</u>	
<u>SETBACKS IN FEET:</u> <u>FRONT</u>	<u>0</u>	<u>0</u>	<u>12</u>	(min.)
<u>REAR</u>	<u>35</u>	<u>23</u>	<u>20</u>	(min.)
<u>LEFT SIDE</u>	<u>0</u>	<u>0</u>	<u>10</u>	(min.)
<u>RIGHT SIDE</u>	<u>0</u>	<u>0</u>	<u>10</u>	(min.)
<u>SIZE OF BLDG.:</u> <u>HEIGHT</u>	<u>30</u>	<u>30</u>	<u>35</u>	(max.)
<u>LENGTH</u>	<u>30</u>	<u>42</u>	<u>45</u>	
<u>WIDTH</u>	<u>15</u>	<u>15</u>	<u>0</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>53</u>	<u>36</u>	<u>30</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>1</u>	<u>1</u>	<u>1</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>1</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>na</u>	<u>na</u>	<u>na</u>	(min.)

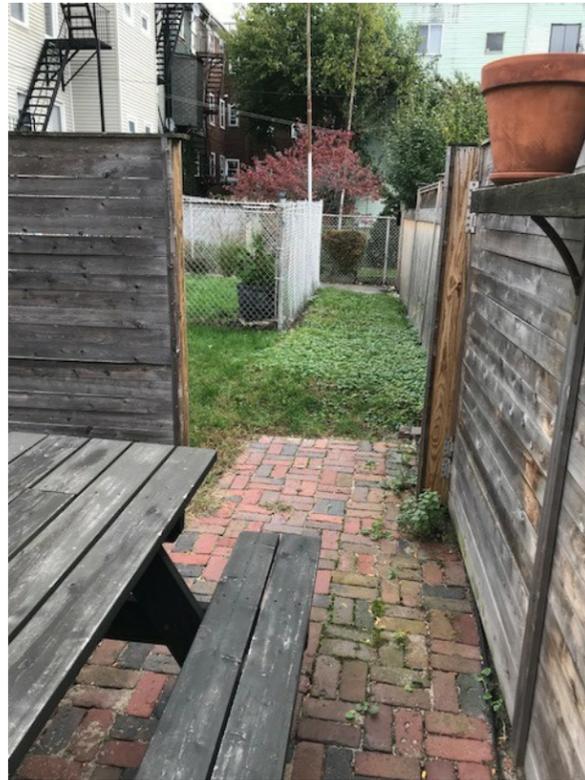
Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

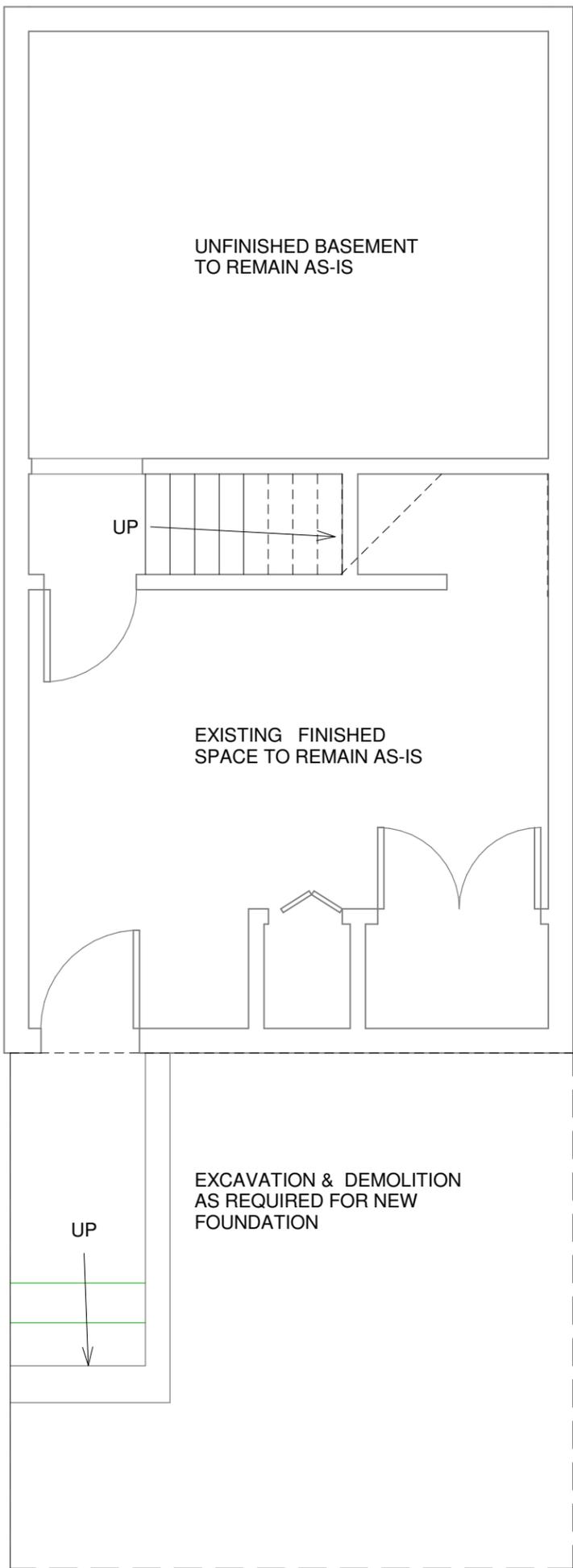
No other occupancies or buildings on site. Proposed construction of addition is wood frame to match existing

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

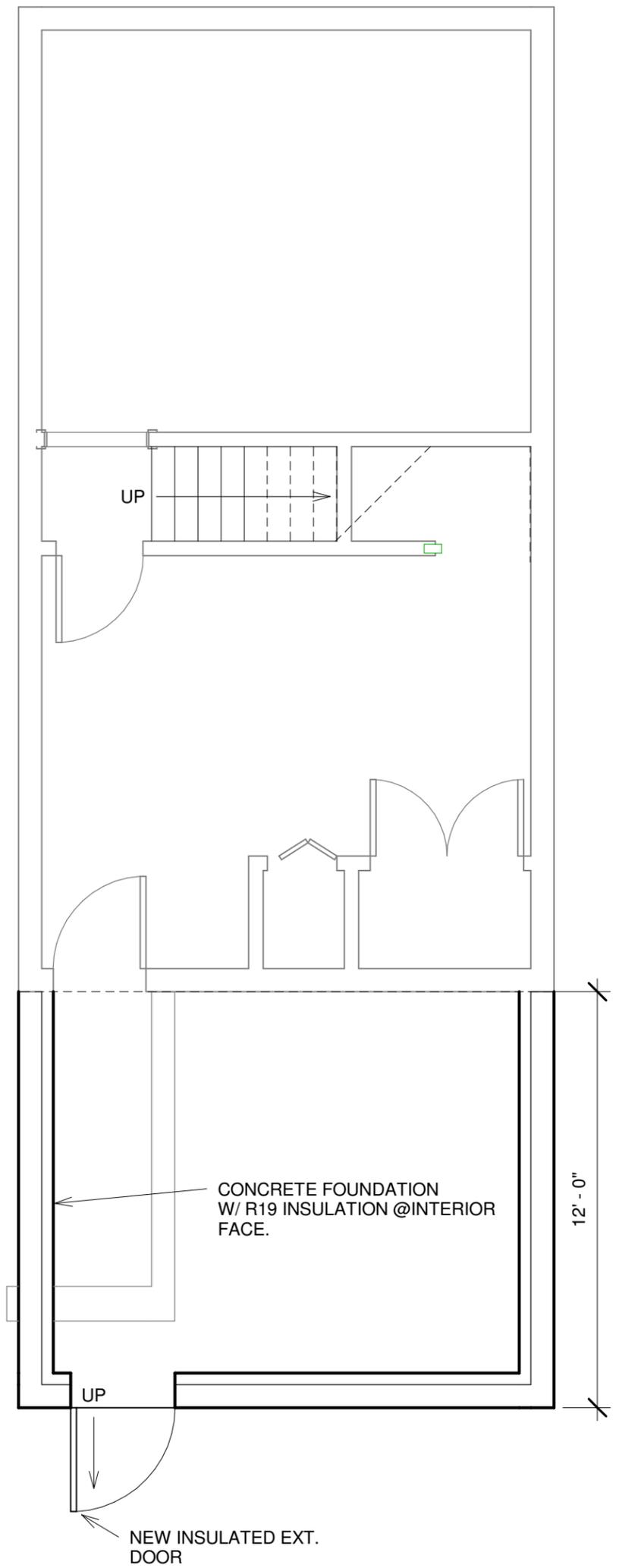


① Site
1/8" = 1'-0"

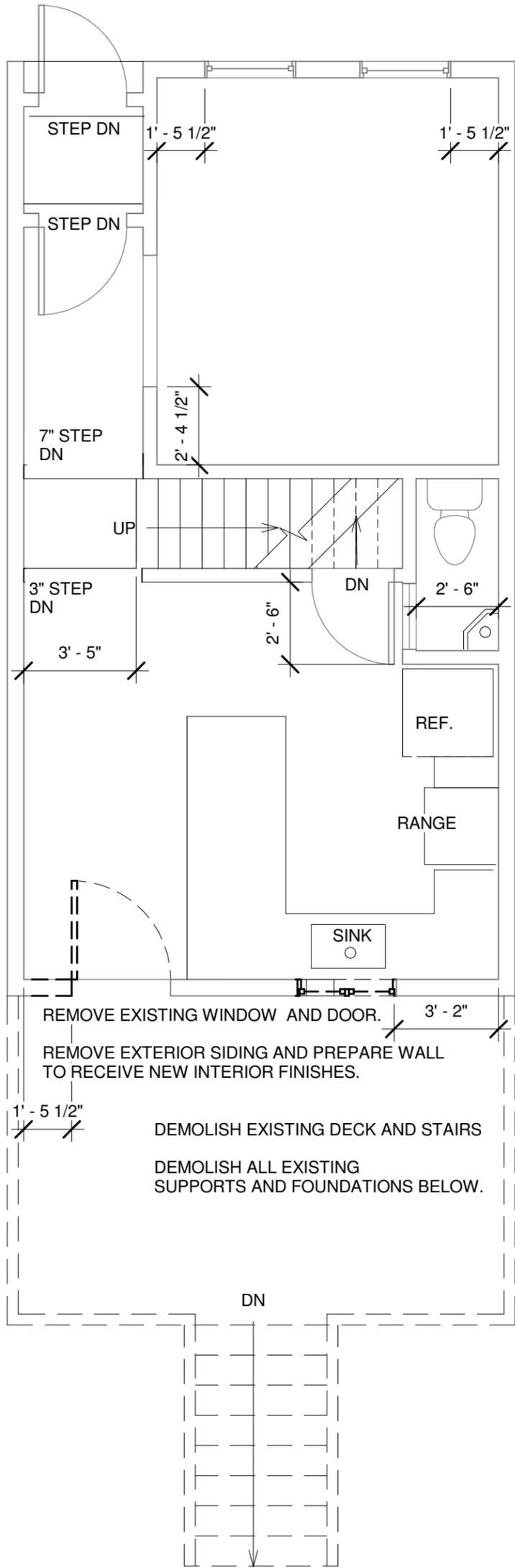




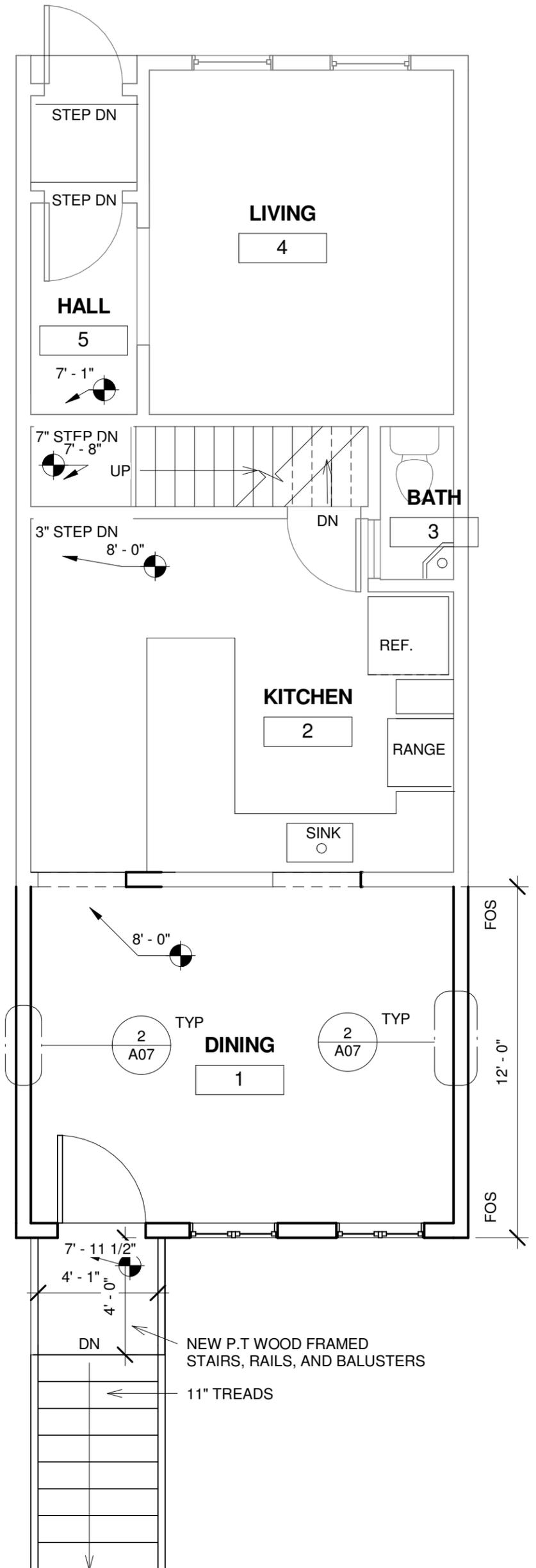
1 Copy of Basement Demolition Plan
1/4" = 1'-0"



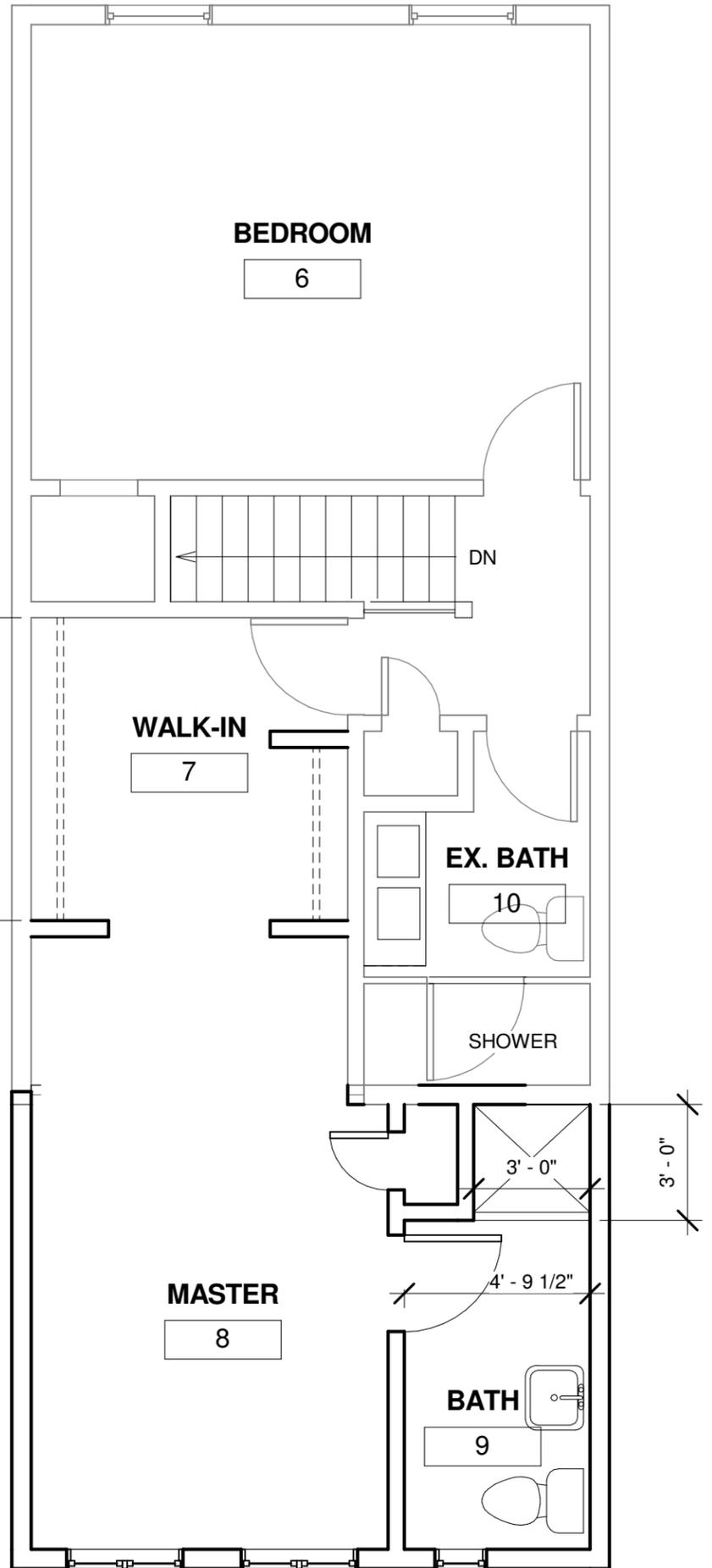
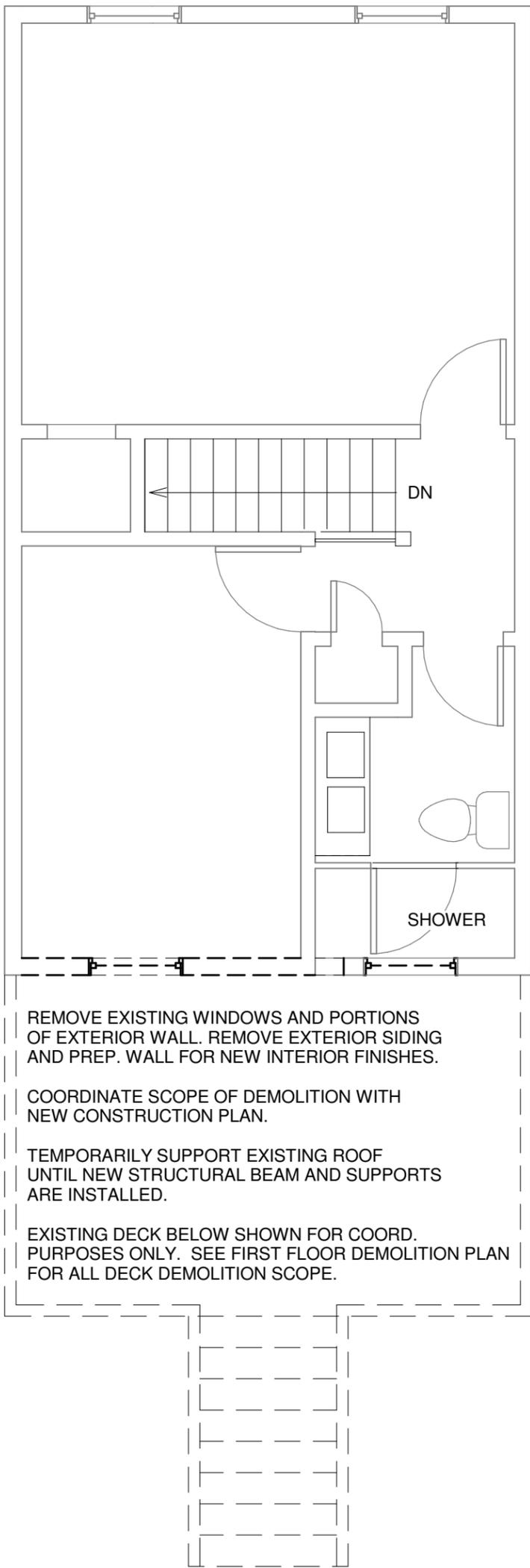
2 Proposed Basement Plan
1/4" = 1'-0"



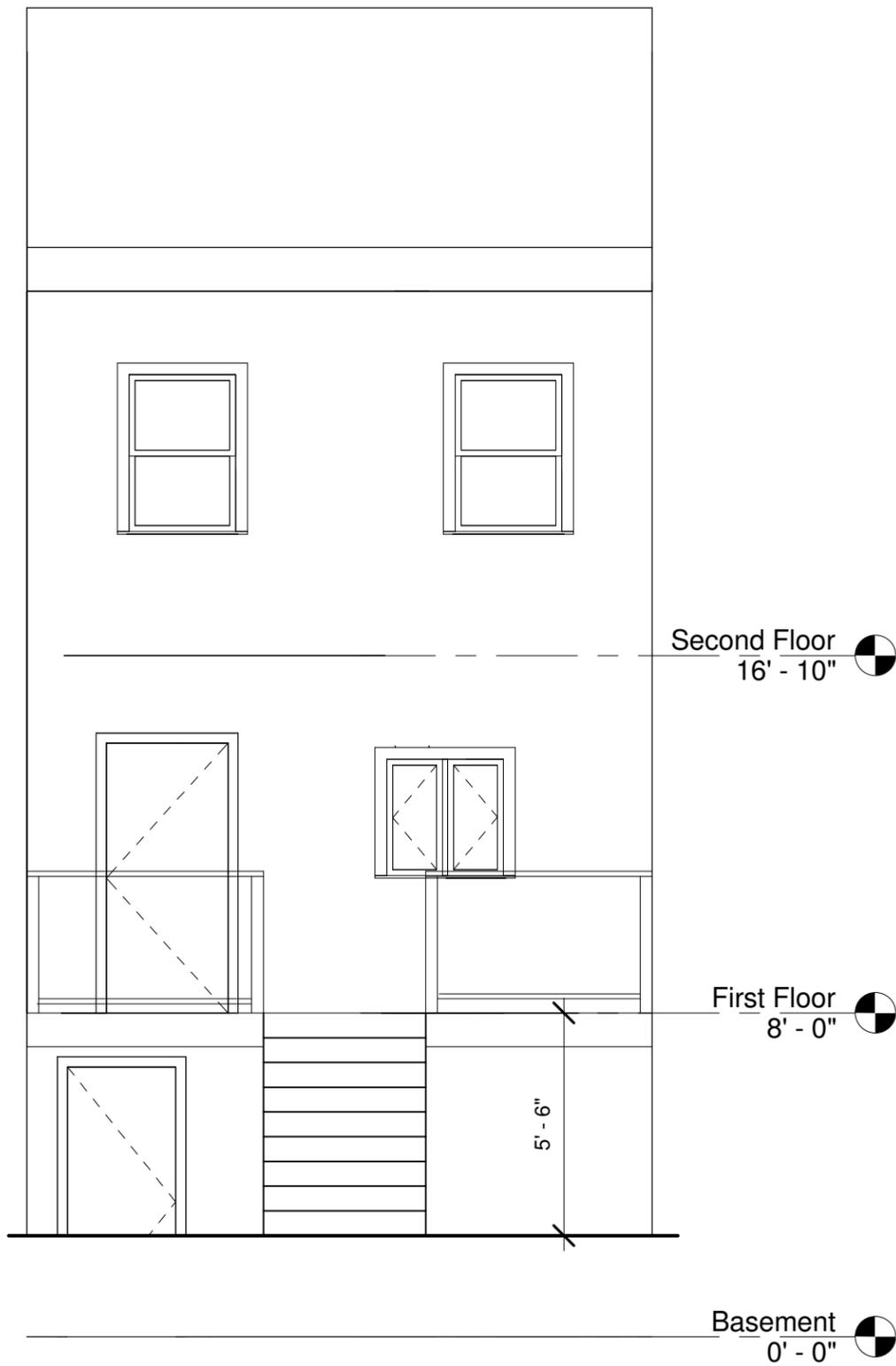
1 First Floor Demolition Plan
1/4" = 1'-0"



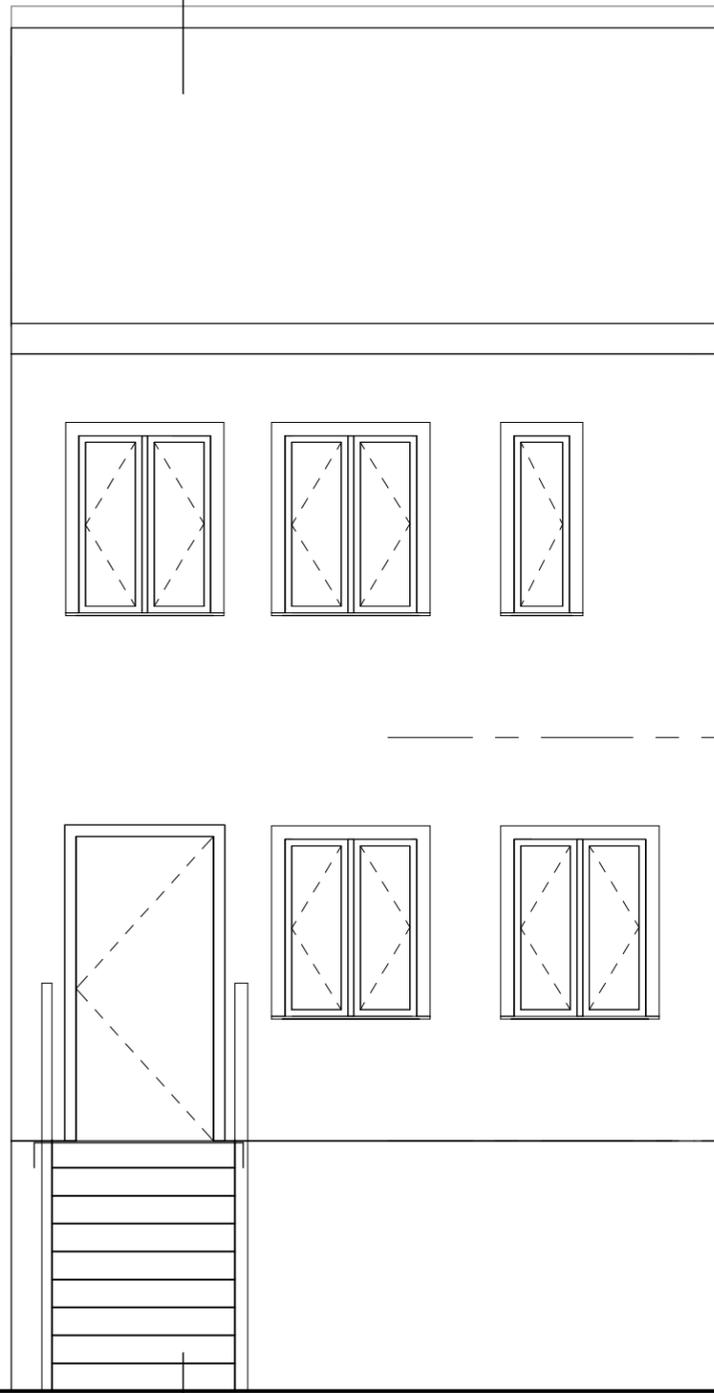
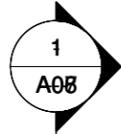
2 Proposed First Floor Plan
1/4" = 1'-0"



② Proposed Second Floor Plan
1/4" = 1'-0"



① Existing Exterior Elevation
 1/4" = 1'-0"



Second Floor
16' - 10"

First Floor
8' - 0"

Basement
0' - 0"

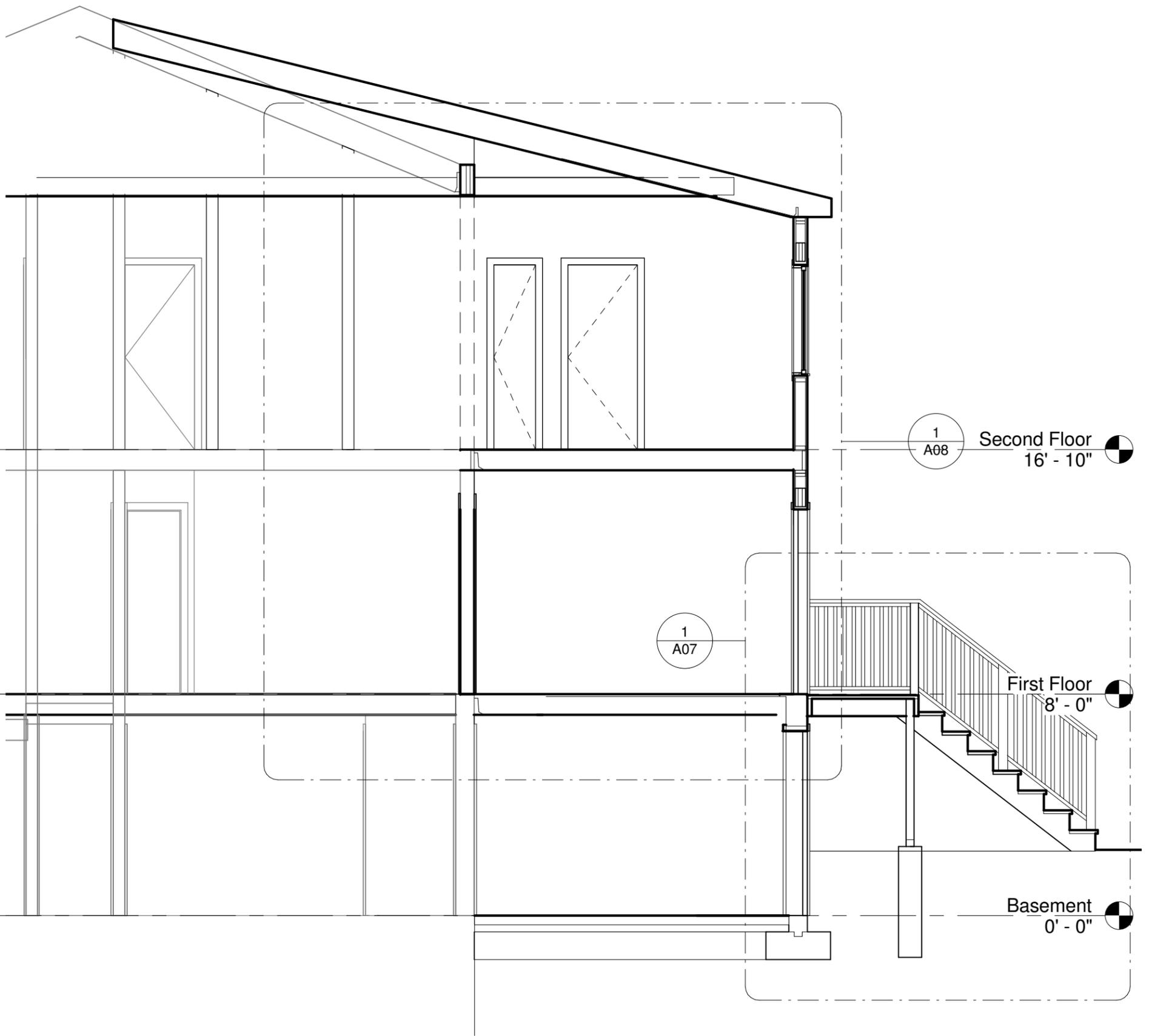
1 Proposed Exterior Elevation
1/4" = 1'-0"

Anderton Residence
130 Spring Street, Cambridge MA

Proposed Exterior Elevation

Scale 1/4" = 1'-0"
Date preliminary 12/2/17
Project number tbd

A05

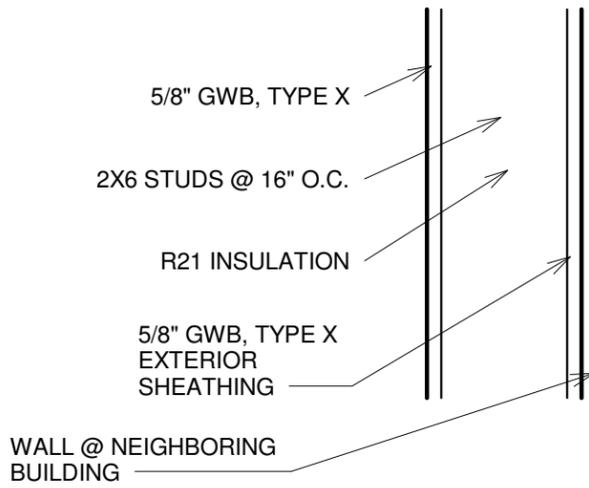


1 Building Section
 1/4" = 1'-0"

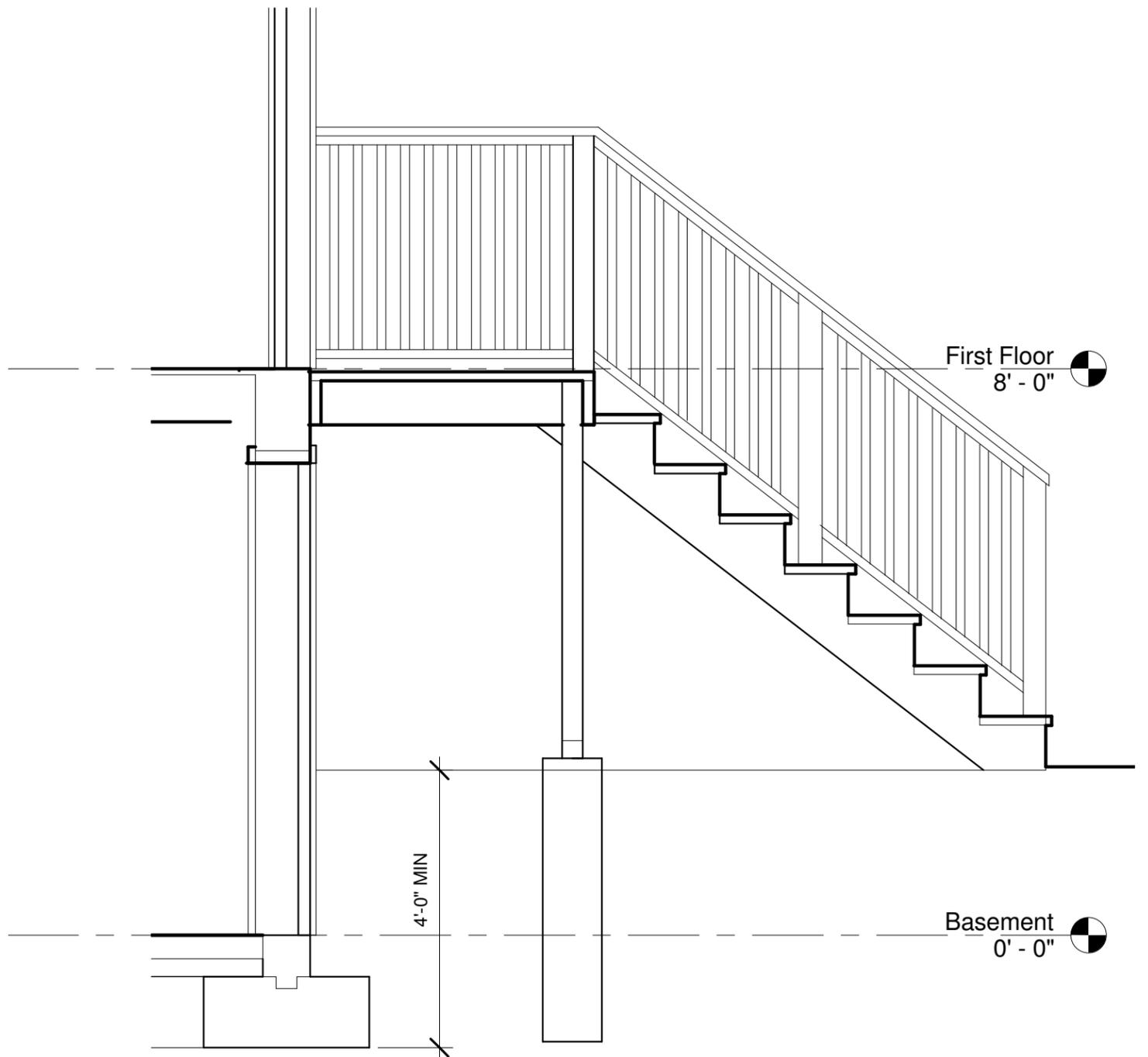
Anderton Residence
 130 Spring Street, Cambridge MA

Building Section
 Scale 1/4" = 1'-0"
 Date preliminary 12/2/17
 Project number tbd

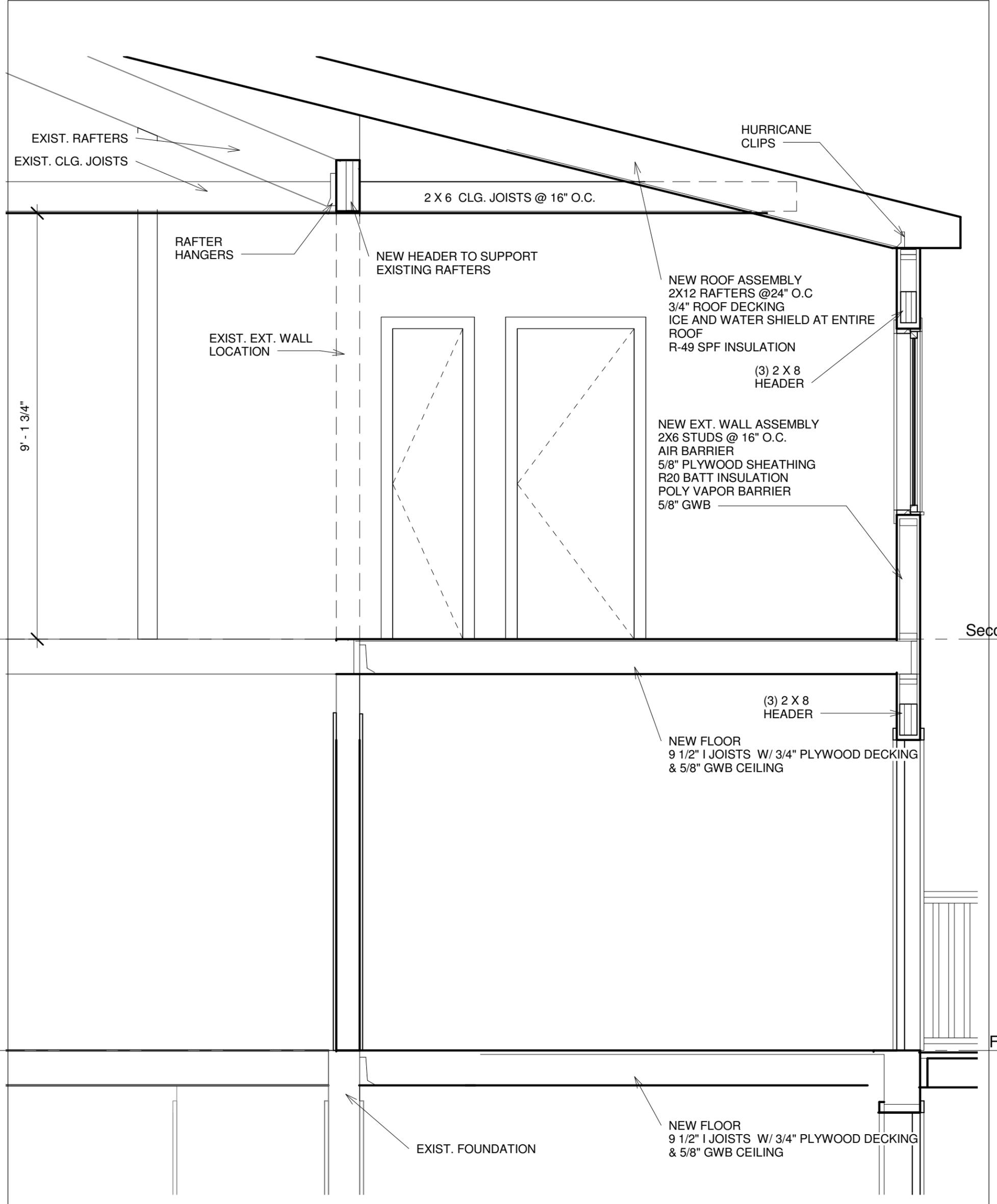
A06



② EXTERIOR WALL DTL.
1 1/2" = 1'-0"



① Stair Section
1/2" = 1'-0"



Section 1

First

1 Wall Section
1/2" = 1'-0"

NEW ENGLAND LAND SURVEY
Professional Land Surveyors

5 Wheelock Street
Oxford, MA 01540

PHONE: (508) 987-0025

FAX: (508) 234-7723

REGISTRY SOUTHERN MIDDLESEX

MORTGAGE INSPECTION PLAN

NAME MATTHEW A ANDERTON

LOCATION 130 SPRING STREET
CAMBRIDGE, MA

SCALE 1"=20' DATE 11/29/2010

LENDER: _____

DEED BOOK/PAGE: 15470 / 132

PLAN BOOK/PLAN N/A

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE HUD MAP:

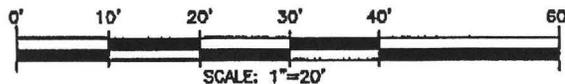
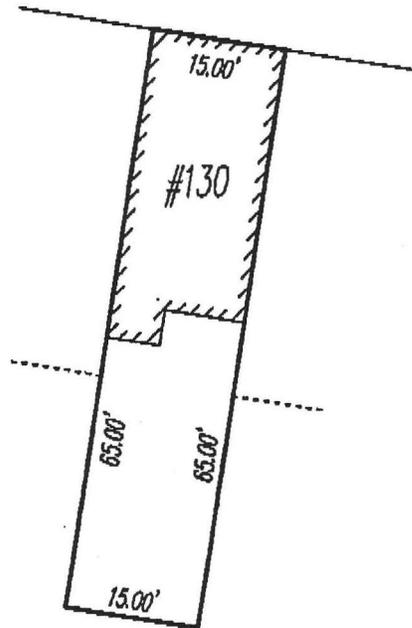
25017C0577E DTD: 6/4/2010

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVEGROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

SPRING STREET



REQUESTED BY: MEC
DRAWN BY: LAS
CHECKED BY: GES

File: 10MIP8444

NEW ENGLAND LAND SURVEY
 Professional Land Surveyors
 5 Wheelock Street
 Oxford, MA 01540
 PHONE: (508) 987-0025
 FAX: (508) 234-7723
 REGISTRY SOUTHERN MIDDLESEX

MORTGAGE INSPECTION PLAN

NAME MATTHEW A ANDERTON

LOCATION 130 SPRING STREET
CAMBRIDGE, MA

SCALE 1"=20' DATE 11/29/2010

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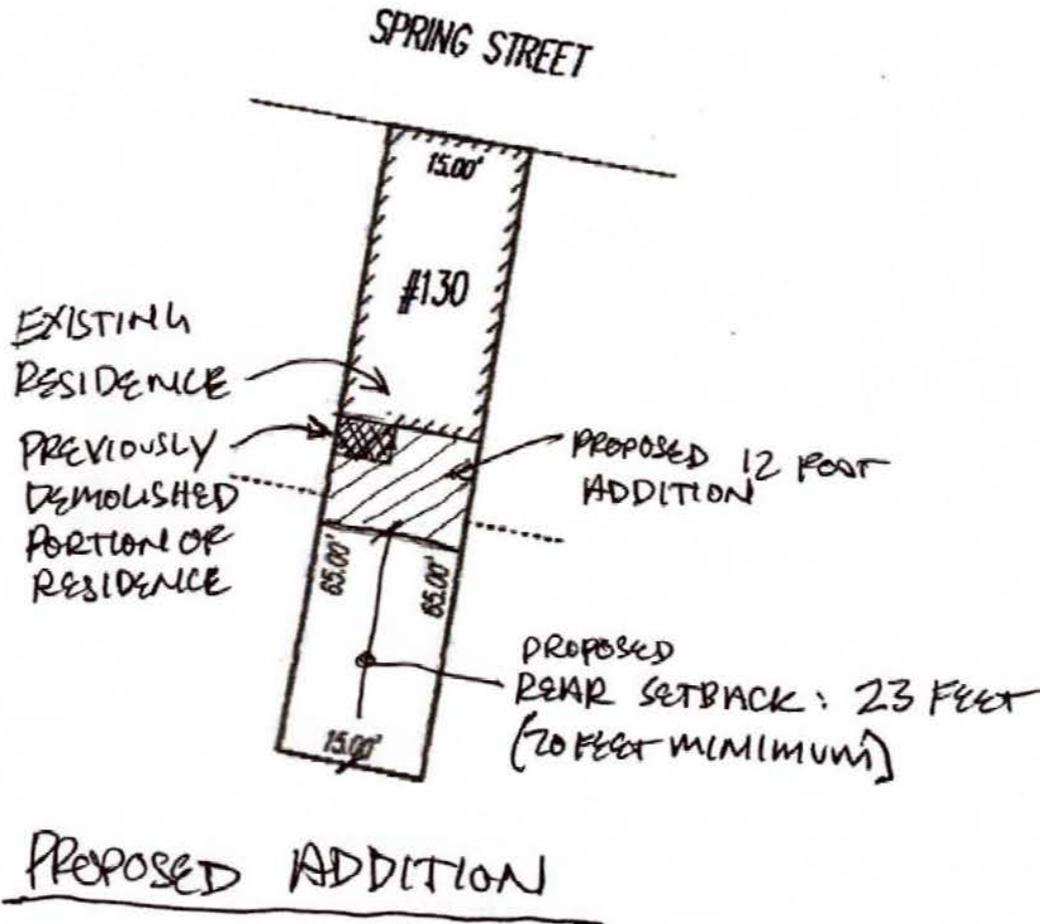


LENDER: _____
 DEED BOOK/PAGE: 15470 / 132
 PLAN BOOK/PLAN N/A

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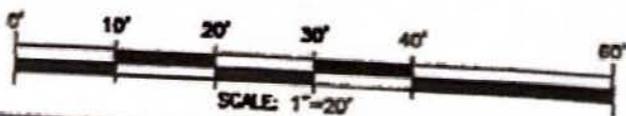
25017C0577E DATED 6/4/2010

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PROPOSED ADDITION

REQUESTED BY: MEC
 DRAWN BY: LAS
 CHECKED BY: CES





**Zoning Code Review
Anderton Residence
Proposed Addition
130 Spring Street
Cambridge, MA**

December 4, 2017

Executive Summary

The existing structure is non-conforming in regard to lot size, FAR, and setbacks.

The proposed addition has no impact on the lot size and does not increase the non-conformity of the setbacks.

The existing building height and rear setback are conforming and will remain conforming.

The %age of open space on site is conforming and shall remain conforming.

The project will increase the non-conformity of the Floor Area Ratio (FAR). As described in the attached excerpt. A variance will be required.

Special Permits are issued for additions to certain non-conforming residential structures. However, the FAR increase requires that a variance be obtained.

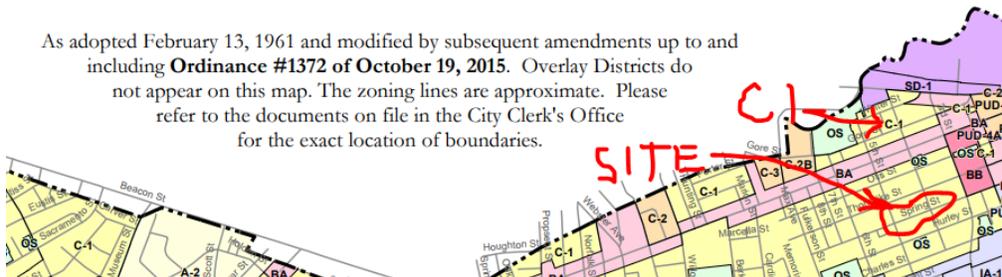
Zoning District: Residence C-1

Zoning Overlay District: None

Zoning Districts

City of Cambridge, Massachusetts

As adopted February 13, 1961 and modified by subsequent amendments up to and including **Ordinance #1372 of October 19, 2015**. Overlay Districts do not appear on this map. The zoning lines are approximate. Please refer to the documents on file in the City Clerk's Office for the exact location of boundaries.





Zoning Overlay Districts

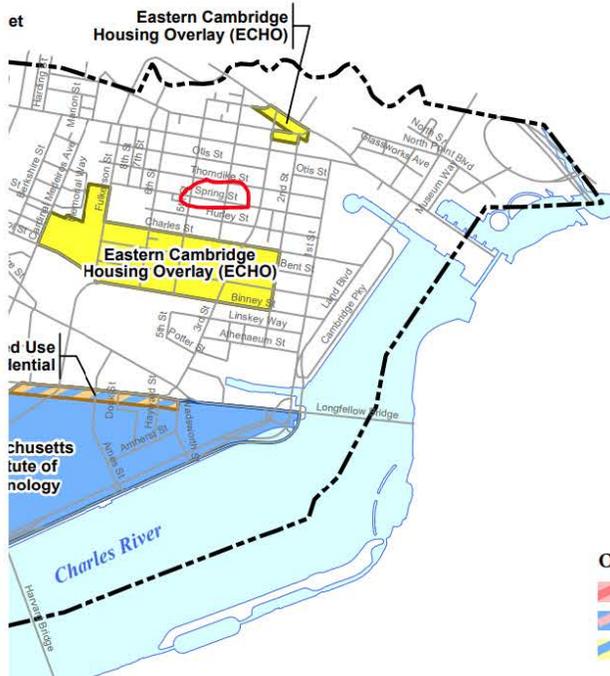
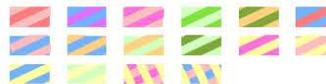
Institutional Overlay Districts

- Cambridge Street Health Center
- Episcopal Divinity School
- Harvard, Radcliffe, Lesley
- Massachusetts Institute of Technology
- Maignon School
- Mount Auburn Hospital
- Observatory Hill
- Shady Hill School and BB&N School

Other Overlay Districts

- Lesley Porter
- Hammond and Gorham Streets Transition
- Kirkland Place Transition
- Harvard Square
- Central Square
- Massachusetts Avenue
- Memorial Drive
- Prospect Street
- Mixed Use Residential
- Cambridge Highlands
- Basement Housing
- Eastern Cambridge Housing Overlay (ECHO)
- Parkway
- Concord Avenue Parkway Subdistrict
- Pathway

Overlapping Districts



District	Max. FAR	Min. Lot Area/DU	Min. Setback Front Yard	Min. Setback Side Yard	Min. Setback Rear Yard	Max. Height	Min. OS Ratio	General range of allowed uses
A-1	0.50	6,000	25	15 sum to 35	25	35	50%	single-family detached dwellings
A-2	0.50	4,500	20	10 sum to 25	25	35	50%	
B	0.50	2,500	15	7.5 sum to 20	25	35	40%	single- and two-family detached dwellings townhouse dwellings (by special permit)
C	0.60	1,800	(H+L) ÷ 4 at least 10	(H+L) ÷ 5 ≥7.5, sum ≥20	(H+L) ÷ 4 at least 20	35	36%	single- and two-family detached dwellings townhouse dwellings
C-1	0.75	1,500	(H+L) ÷ 4 at least 10	(H+L) ÷ 5 at least 7.5	(H+L) ÷ 4 at least 20	35	30%	multifamily dwellings (apartments, condos) limited institutional uses

Floor Area Ratio (Existing non-conforming w/ proposed increase in non-conformity)

Max. FAR: .75 [.75 x 960 = 720]

Exist. FAR: .94 [450 sf per floor *2 = 900 sf 900 / 960 = .94]

Proposed FAR: [900 sf exist. + 384 sf addition = 1,284 sf / 960 = 1.34 (increases non-conformity).

Lot Size (Existing non-conforming – no change proposed)

Minimum size: 1,500 sf

Existing size: 960 sf +/-

Proposed size: 960 sf +/- (no change)

Setbacks (Existing non-conforming – no increase in non-conformity)

	<u>Existing</u>	<u>Required</u>	<u>Proposed</u>
Front	0	12 ft +/-	0 (no change)
Side	0	10 ft +/-	0 (no change)
Rear	35 feet	20 ft	23 feet (complies)

Height (Conforming)

Maximum height: 35 feet

Existing height: 30 feet +/-

Proposed height: 30 feet +/- (no change)

Open Space (Conforming)

Minimum open space: 30%

Existing open space: 53%

Proposed open space: 36% [15 ft x 23 ft = 345 345 / 960 = 36%]

Open Space, Private. The part or parts of a lot or structure which are reserved for the use of occupants of a building which is used wholly, or in part, for residential purposes. This space shall have minimum dimensions as prescribed in the Ordinance, shall exclude parking areas, driveways and walkways, and shall be open and unobstructed to the sky. Trees, plantings, arbors, fences, flagpoles, sculpture, fountains and recreational and drying apparatus and similar

2-10

objects shall not be considered obstructions when located within a private open space. Objects or structures intended exclusively for bicycle parking, designed and located in accordance with Section 6.100, which may be uncovered, partially covered or fully enclosed, shall not be considered obstructions provided that such objects or structures are not used for motor vehicle parking, general storage or any other use, and further provided that any such structure exceeding six feet (6') in height conforms to the requirements for an accessory building in Section 4.21. To the extent permitted in this Ordinance, balconies and roof areas may also be considered as private open space.

Notes on Zoning Regulations Table

<p>Max. FAR = maximum allowed ratio of gross floor area on a parcel divided by the total land area of the parcel (“floor area ratio”). Where a slash (/) separates two figures, the first applies to non-residential and the second to residential & dormitory uses.</p>
<p>Min. Lot Area/DU = minimum allowed ratio of a parcel’s lot area, expressed in feet, divided by the number of dwelling units on that parcel.</p>
<p>Min. Setback = minimum required distance between a parcel’s lot line (front, side, or rear) and the wall of a building, in feet. The symbol (H+L) in a formula represents the height of the building plus the length of the building parallel to that lot line.</p>
<p>Max. Height = maximum allowed building height on a parcel, in feet. A slash (/) has the same meaning as under Max. FAR (see above).</p>
<p>Min. OS Ratio = minimum required ratio of usable open space on a parcel (not including parking) to total land area, expressed as a percentage.</p>
<p>General range of allowed uses gives an overview of the types of uses permitted by zoning in that district, but does not refer to specific allowed uses. <i>See Article 4 of the Zoning Ordinance for the detailed Table of Use Regulations.</i></p>

ARTICLE 8.000 NONCONFORMITY

Text current through Ordinance #1397 of August 7, 2017.

8.10 EXISTING BUILDINGS**8.20 NONCONFORMANCE****8.10 EXISTING BUILDINGS**

8.11 This Ordinance shall not apply to existing buildings or structures, nor to the existing use of any building or structure or of land, to the extent to which it is used at the time of first publication of notice of public hearing by the Planning Board of applicable provisions of this or any prior Ordinance, but it shall apply to any change of use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change, and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration, or for its use for the same purpose to a substantially greater extent.

8.12 Except as herein provided no building or structure or land shall be used and no building or other structure or part thereof shall be constructed, extended or structurally altered except in conformity with the State Building Code and with the provisions of this Ordinance applying to the district in which said building, structure or land is located.

8.20 NONCONFORMANCE

8.21 Any nonconforming structure or use which existed at the time of the first notice of public hearing by the Planning Board of the applicable provisions of this or any prior Ordinance or any amendment thereto may be continued or changed to be conforming, but when so changed to be conforming it shall not be made nonconforming again.

8.22 As provided in Section 6, Chapter 40A, G.L., permits for the change, extension, or alteration of a pre-existing nonconforming structure or use may be granted as permitted in Subsections 8.22.1 and 8.22.2 below. Such a permit, either a building permit in the case of the construction authorized in Section 8.22.1 or a special permit in the case of construction authorized in Section 8.22.2, may be granted only if the permit granting authority specified below finds that such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming structure or use.

8.22.1 The following alterations, reconstructions, extensions, and/or enlargements of nonconforming structures, which do not result in a use for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent than the existing use, or which are undertaken to accommodate a new conforming use, shall be permitted after the issuance of a building permit by the Superintendent of Buildings. Any change, extension or alteration of a nonconforming use shall be subject to the provisions of Subsection 8.22.2.

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- a. Conforming construction to a structure located on a lot that is nonconforming due to its lot size or lot width and where only that lot width and/or lot size is nonconforming, but which structure meets the requirements of Section 5.21.1.
 - b. Conforming construction where only the requirements of Article 6.000 are nonconforming and where no change to those elements regulated by Article 6.000 are required or proposed.
 - c. Construction occurring entirely within a structure, including structural changes, provided there is no increase in an existing or creation of a new violation of the requirements of Article 5.000.
 - d. Relocation, enlargement, or addition of windows, doors, skylights, or similar openings to the exterior of a building provided that the facade of the building upon which such relocation, enlargement, or addition is occurring (1) conforms to the yard requirements of Article 5.000, or (2) faces a street.
 - e. Demolition of a structure or portions of a structure that (1) reduces the extent of an existing nonconformity, or that (2) does not increase or otherwise affect any existing nonconformity, and that (3) does not create a new zoning violation.
 - f. Conforming additions, under Article 5.000, to a structure not conforming to the requirements of Article 5.000 provided that no nonconforming element or aspect of the nonconforming structure is extended or increased and further provided that the nonconforming structure is not thereby increased in area or volume by more than ten (10) percent since the structure first became nonconforming.
 - g. Repair, reconstruction, or replacement of any lawfully established nonconforming portions of a building including but not limited to porches, decks, balconies, bay windows and building additions, provided that the repair, reconstruction or replacement does not exceed the original in footprint, volume, or area, and further provided that the area and/or volume of said portions of the building do not exceed twenty-five (25) percent of the area or volume of the entire building.
 - h. Construction of a dormer or an addition to a nonconforming one or two family dwelling which will further violate the yard and height requirements of Article 5.000, but no other requirements of Article 5.000 including FAR, in the following cases:
 1. A dormer or addition to the second story that does not extend horizontally beyond the vertical walls of the existing first story of the structure.
 2. A dormer on the third story no longer than fifteen (15) feet that does not extend horizontally beyond the vertical walls of the existing second story nor above the existing ridge line provided that the total linear length of all dormers on the third story of the building, after the issuance of the permit authorized by this Subparagraph h 2, does not exceed fifteen (15) feet.
 - i. Any construction, alteration, reconstruction, extension or enlargement otherwise permitted in paragraphs (a) through (h) above where the lot is also nonconforming due to the presence of more than one structure containing a principal residential use
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as prohibited in Section 5.53; or any conforming construction where only the requirements of 5.53 are nonconforming.

8.22.2 The following changes, extensions, or alterations of a pre-existing nonconforming structure or use may be granted in the following cases after the issuance of a special permit. Such a permit shall be granted only if the permit granting authority specified below finds that such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming use.

- a. In an Office, Business, or Industrial District the Board of Zoning Appeal may issue a special permit for the alteration or enlargement of a nonconforming structure, not otherwise permitted in Section 8.22.1 above, or the enlargement (but not the alteration) of a nonconforming use, provided any alteration or enlargement of such nonconforming use or structure is not further in violation of the dimensional requirements in Article 5.000 or the off street parking and loading requirements in Article 6.000 for the district in which such structure or use is located and provided such nonconforming structure or use not be increased in area or volume by more than twenty-five (25) percent since it first began to be nonconforming.
- b. In an Office, Business or Industrial District the Board of Zoning Appeal may grant a special permit for the issuance of a certificate of occupancy for the occupancy of an existing building designed and built for nonresidential use by any use permitted as of right in a Business or Industrial District in Article 4.000 of this Ordinance, provided such new use will be carried out entirely within the existing building and provided the off street parking and loading requirements in Article 6.000 for the district in which such building is located will not be further violated.
- c. In a Residence District the Board of Zoning Appeal may grant a special permit for the alteration or enlargement of a nonconforming structure, not otherwise permitted in Section 8.22.1 above, but not the alteration or enlargement of a nonconforming use, provided any enlargement or alteration of such nonconforming structure is not further in violation of the dimensional requirements of Article 5.000 or the off street parking and loading requirements in Article 6.000 for the district in which such structure is located and provided such nonconforming structure will not be increased in area or volume by more than twenty-five (25) percent since it first began to be nonconforming.

Not Applicable

Variance required

8.22.3 Any alteration or enlargement of a nonconforming structure or of a nonconforming use not otherwise permitted in Section 8.22.1 and 8.22.2 above shall be a variance.

8.23 If a nonconforming structure or use shall have been destroyed or damaged by fire, explosion or other catastrophe (except one that has been determined by the City to have been caused intentionally by or on behalf of the owner), such structure may be rebuilt or restored and used again as previously. If a nonconforming structure or use shall have been destroyed, damaged, or caused to be moved as the result of a public taking, said structure or use may be relocated or reconstructed on the lot or on an abutting lot in the same ownership, provided that said relocation or reconstruction does not result in the enlargement of the nonconforming use or structure. In either case, the rebuilding,

restoring, relocation or reconstruction shall not require a special permit provided that it commences within twenty-four (24) months after such fire, explosion, catastrophe, public taking, or April 24, 2017 (the date of enactment of this amendment), whichever is later, and is completed within thirty-six (36) months after such fire, explosion, catastrophe, public taking, or April 24, 2017 (the date of enactment of this amendment), whichever is later, and provided that the structure as rebuilt, restored, relocated, or reconstructed shall not be greater in volume, footprint, or gross floor area, shall not further increase any nonconformities than those of the original nonconforming structure, and shall not further violate any dimensional requirements of the Ordinance.

- 8.24** A nonconforming use of a building or land which has been abandoned or not used for a period of two years shall not thereafter be returned to such nonconforming use. A nonconforming use shall be considered abandoned when the intent of the owner to discontinue use is apparent, or when the use has been discontinued for a period of thirty (30) days, or when the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment, whichever shall first occur.
- 8.25** Construction or operation under a building or special permit shall conform to any subsequent amendment of this Ordinance unless the use or construction is commenced within a period of six months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.
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130 Spring St.

Petitioner

25-100
VON HIPPEL, ERIC & JESSIE VON HIPPEL
75 CAMBRIDGE PKWY #E-709
CAMBRIDGE, MA 02142

25-145
CHIANG, JANE C. & THIERRY CURIS
127 SPRING ST
CAMBRIDGE, MA 02141

CDHA CONSULTING
C/O CHRISTOPHER D. HOWE
72 FARRAGUT AVENUE
SOMERVILLE, MA 02144

26-7
FLYNN, JANET M. & DAVID D. FLYNN
136 SPRING ST
CAMBRIDGE, MA 02141

26-8
GOLOBOY, ANDREW E. & AMY L. MITMAN
55 LEICESTER ROAD
MARBLEHEAD, MA 01945

26-9
SANICCHARA, PETER A. &
AMY B. HAYWARD A LIFE ESTATE
132 SPRING ST
CAMBRIDGE, MA 02141

26-10
ANDERTON, MATTHEW A. &
ALLYSON N. LIVINGSTONE
130 SPRING ST
CAMBRIDGE, MA 02141

26-11
PACHECO, HELEN., A LIFE ESTATE
C/O MARY DANILUIK
128 SPRING ST
CAMBRIDGE, MA 02141

26-12
HATFIELD, BRIAN & EMILY CAMPBELL
126 SPRING ST
CAMBRIDGE, MA 02141

26-14
CHOLFIN, BRYAN & THERESA M. CHOLFIN
1 SPRING PL
CAMBRIDGE, MA 02141

26-15
BLANC, CHRISTIAN P. & VALERIE L. BLANC
454 WINDSOR ST., #1
CAMBRIDGE, MA 02141

26-16
CHARPENTIER, RENEE
3 SPRING PL
CAMBRIDGE, MA 02141

26-27
BARCZYKOWSKI, MITCHELL S.,
TR. OF THE BARCZYKOWSKI FAMILY TR.
62 IBBETSON ST. 2L
SOMERVILLE, MA 02143

26-156
CABRAL, ISABEL E. FOR LIFE
303 HURLEY ST.
CAMBRIDGE, MA 02141

26-163
DAROSA, JOSE F. AND MARIA C. DAROSA
829 HIGHLAND AVE
MEDFORD, MA 02155

26-179
DIBARI, MICHAEL E. & TAKAKO TOKUOKA
138 SPRING ST., #138
CAMBRIDGE, MA 02141

26-179
CRUZ, ELIAS
138-138.5 SPRING ST, #140
CAMBRIDGE, MA 02141

26-179
FARAH, ABDIRASHID A.
138-140 SPRING ST., #140A
CAMBRIDGE, MA 02141

26-179
REYNOLDS, CUELLAR, JULIA
140B SPRING STREET
CAMBRIDGE, MA 02141

26-179
PARAJULI, PAWAN
140C SPRING ST
CAMBRIDGE, MA 02141

26-179
ZHANG, HUI & WANA ZHANG
138 1/2 SPRING ST
CAMBRIDGE, MA 02141

25-102
IRVING, RACHEL & ANTHONY A. PITTS
129 SPRING ST. UNIT 1
CAMBRIDGE, MA 02141

25-102
STEINGESSER, DAVID GOULDER
129 SPRING ST. UNIT 2
CAMBRIDGE, MA 02141

25-146
GONCHAROVA, NATALYA F.
125.5 SPRING ST
CAMBRIDGE, MA 02141



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director*
William G. Barry, Jr., Robert G. Crocker, Joseph V. Ferrara, Chandra Harrington, Jo M. Solet, *Members*
Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

Jurisdiction Advice

To the Owner of Property at 130 Spring Street

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- Old Cambridge Historic District
- Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
- Avon Hill Neighborhood Conservation District
- Half Crown – Marsh Neighborhood Conservation District
- Harvard Square Conservation District
- Mid Cambridge Neighborhood Conservation District
- Designated Landmark
- Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
- Preservation Restriction or Easement (as recorded)
- Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). See the back of this page for definition of demolition.
No demolition permit anticipated.
- No jurisdiction: not a designated historic property and the structure is less than fifty years old.
- No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SLB

Date February 1, 2018

Received by Uploaded to Energov

Date February 1, 2018

Relationship to project BZA 15467-2018

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
<http://www.cambridgema.gov/Historic>